

REMARKS

Claims 19-25 are pending in the present application. In the Office Action mailed on January 29, 2007, the Examiner took the following action: (1) rejected claims 19-21, 23, and 25 under 35 U.S.C. §102(b) as being anticipated by Weik (U.S. 4,213,593); and (2) rejected claim 25 under 35 U.S.C. §112, second paragraph, as being indefinite. The Examiner acknowledged, however, that claims 22 and 24 would be allowable if rewritten to include the limitations of their respective base and intermediate claims. Applicants respectfully request reconsideration of the application in view of the foregoing amendments and the following remarks.

I. Rejections under §112

The Examiner rejected claim 25 as being indefinite. Specifically, the Examiner indicates that the claim is indefinite unless the third-to-last word “and” is amended to “or”. Applicants respectfully submit that the claim is not indefinite as currently written.

More specifically, Applicants submit that the formulation “wherein the component includes at least one of ... [x, y, and z]” is broader than a Markush formulation because the possibilities x, y, and z, are not mutually exclusive. A recent holding by the Federal Circuit has held that when a claim recites “x or y,” since the applicant used the term “or”, the claim did not read on an accused device which included both x and y. Upon request, Applicants will provide a citation to the subject Federal Circuit decision.

Thus, the formulation “wherein the component includes at least one of ...[x, y, and z]” covers the following possible combinations: (1) the component includes x; (2) the component includes y; (3) the component includes z; (4) the component includes x and y; (5) the component includes x and z; (6) the component includes y and z; and (7) the component includes x, y, and z. Applicants’ use of “and” in claim 25 is intended (rather than “or”) because the possibilities listed in the claim (“a seat member, a galley, a lavatory, a fireplace, a shelf, a bed, an article of

furniture, a cargo container, and a partition”) are not mutually exclusive, and the component may include one, some, or all of the listed possibilities. Upon request, Applicants will provide numerous examples of issued patents that contain the “at least one of [x, y, and z]” formulation. Therefore, Applicants respectfully request reconsideration and withdrawal of this rejection.

II. Rejections under 35 U.S.C. §102(a)

Claims 19-21, 23, and 25 are rejected under 35 U.S.C. §102(b) as being anticipated by Weik.

Claims 19-23 and 25

As amended, claim 19 recites:

19. An aircraft, comprising:
 - a fuselage operatively coupled to an airframe;
 - a propulsion system operatively coupled to the airframe;
 - a floor assembly disposed within and coupled to the fuselage, the floor assembly including at least one floor panel and an elongated support having a support surface engaged with the floor panel, the elongated support further including an engagement member having a plurality of coupling apertures disposed therein;
 - a component disposed within the fuselage and having a support member positioned proximate the floor assembly; and
 - an interface assembly including:
 - a base engaged with a first surface of the engagement member, the base having a pair of clamp arms projecting outwardly therefrom, each clamp arm being disposed through an associated one of the coupling apertures and engaged with a second surface of the engagement member, the clamp arms being moveable relative to the engagement member between an unsecured position in which the clamp arms are extractable from the coupling apertures, and a secured position wherein the clamp arms are not extractable from the coupling apertures, wherein each clamp arm includes a primary member that projects through the associated one of the coupling apertures, and a finger projecting outwardly from the primary member and engaged with the second surface;
 - a support arm coupled to the base and coupled to the support member of the component; and

at least one lug member operatively coupled to the base and moveable between a first position wherein the clamp arms are positioned in the unsecured position, and a second position wherein the clamp arms are positioned in the secured position, *wherein in the second position, the lug member is inserted into an intermediate coupling aperture disposed in the engagement member between the associated coupling apertures.* (emphasis added).

Weik (US 4,213,593)

Weik teaches an aircraft seat locking mechanism. As best shown in Figure 6, Weik teaches, in relevant part, a control lever 62 that is rotated into a slot 32 that interconnects vertical openings 30 in a track member 22. (Figure 6; 2:50-55; 1:62-64).

Applicants respectfully submit that claim 19 is allowable over Weik. Specifically, Weik fails to disclose, teach, or fairly suggest an aircraft that includes, in relevant part, an interface assembly having at least one lug member operatively coupled to the base and moveable between a first position wherein the clamp arms are positioned in the unsecured position, and a second position wherein the clamp arms are positioned in the secured position, *wherein in the second position, the lug member is inserted into an intermediate coupling aperture disposed in the engagement member between the associated coupling apertures.* (emphasis added). According to Weik, an L-shaped control lever 62 is rotated into a slot 32 that interconnects vertical openings 30. There is not teaching in Weik of an aircraft including an interface assembly having at least one lug member as recited in claim 19.

Accordingly, claim 19 is allowable over Weik. Claims 20-23 and 25 depend from claim 19 and are allowable at least due to their dependencies on claim 19, and also due to additional limitations recited in these claims.

III. Allowable Subject Matter

Claim 24 has been amended to include the limitations of its respective base and intermediate claims, thereby placing claim 24 in condition for allowance as indicated by the Examiner.

CONCLUSION

For the foregoing reasons, Applicants respectfully submit that pending claims 19-25 are now in condition for allowance. If there are any remaining matters that may be handled by telephone conference, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

Respectfully Submitted,

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